

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Chapter 13

**Paul Robert Hansmeier,

Debtor.**

Bankruptcy No. 15-42460

**UNITED STATES TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13
PLAN**

The United States Trustee, through his undersigned attorney, Colin Kreuziger, objects to confirmation of the debtor's chapter 13 plan. In support of his objection, he states the following:

1. A hearing on confirmation of the debtor's chapter 13 plan is set for 10:30 a.m. on November 19, 2015, before the United States Bankruptcy Court, Courtroom 8W, 300 South Fourth Street, Minneapolis, MN 55415.
2. The United States Trustee previously filed a motion to convert this case to chapter 7. (DE #32.) That motion is scheduled for hearing before the Court on December 17, 2015. The United States Trustee incorporates by reference the entirety of his motion to convert.
3. For the reasons stated in the motion to convert, the United States Trustee believes that the debtor's chapter 13 plan cannot be confirmed. Specifically, it appears that the proposed plan does not comply with § 1322(a)(1), pays unsecured creditors an amount that is less than the amount that would be paid if the debtor's estate was liquidated in chapter 7, was not proposed in good faith under 11 U.S.C. § 1325(a)(3), and the debtor does not have an ability to make payments under 11 U.S.C. § 1325(a)(6). In addition, the petition was not filed in good faith under 11 U.S.C. § 1325(a)(7)).

4. For all of those reasons, the United States Trustee requests that the Court deny confirmation of the debtor's chapter 13 plan.

Dated: November 12, 2015

DANIEL M. MCDERMOTT
United States Trustee
Region 12

/e/ Colin Kreuziger
Colin Kreuziger
Trial Attorney
Office of U.S. Trustee
MN Atty. No. 0386834
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
TELE: (612) 334-1350

Verification

I, Colin Kreuziger, Trial Attorney for the United States Trustee for the District of Minnesota, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on: November 12, 2015

/e/ Colin Kreuziger
Colin Kreuziger
Trial Attorney

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MEMORANDUM OF LAW

The United States Trustee incorporates the memorandum of law filed in support of his motion to convert this case to chapter 7 in its entirety. (DE #32.) For purposes of brevity, the United States Trustee does not reproduce those arguments here.

DANIEL M. MCDERMOTT
United States Trustee
Region 12

DATED: November 12, 2015

By: /e/ Colin Kreuziger
Colin Kreuziger
Trial Attorney
MN Atty. No. 0386834
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
612-334-1350

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ORDER

The debtor's chapter 13 plan came before the Court for confirmation. For reasons stated orally and recorded in open court,

IT IS ORDERED:

1. Confirmation of the debtor's chapter 13 plan is denied.

Dated:

Kathleen H. Sanberg
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
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In Re:

Chapter 13

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Bankruptcy No. 15-42460

Debtor.

UNSWORN CERTIFICATE OF SERVICE

I, Audrey Williams, declare under penalty of perjury, that on November 12, 2015, that I served copies of the United States Trustee's Objection to Confirmation of Chapter 13 Plan, Verification, Memorandum of Law, and Proposed Order upon the following individuals via either the Court's CM/ECF system and/or first class mail postage pre-paid:

Via Mail

Paul Robert Hansmeier
100 3rd Ave S
Suite 3201
Minneapolis, MN 55401

Via CM/ECF

Gregory A Burrell:	cmecefjzkmn@ch13mn.com
Paul A Godfread:	paul@godfreadlaw.com
Cynthia L Hegarty:	Chegarty@bestlaw.com, kdahl@bestlaw.com
Barbara J May:	maybarbaraj@gmail.com
Amanda K Schlitz:	amanda.schlitz@stinsonleonard.com, laura.schumm@stinsonleonard.com
Edward P. Sheu:	esheu@bestlaw.com, cstrom@bestlaw.com
Jason E. Sweet:	jsweet@boothsweet.com, info@boothsweet.com

Executed on: November 12, 2015

/e/ Audrey Williams
Audrey Williams
Office of the United States Trustee